

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-24765 - APPLICANT: TANEY ENGINEERING - OWNER: RICHARD ERLICH, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Rezoning (ZON-4554), Site Development Plan Review (SDR-8630) and Variance (VAR-8631)
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

LHM

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6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Dedicate additional right-of-way for a bus turnout on Owens Avenue per Standard Drawings #234.1 #234.2 and #234.3 adjacent to this site.
8. Coordinate with the City Surveyor to discuss issues pertaining to the common areas associated with the existing development located east of this site and provide that portion of the amended and recorded CC&Rs that address this issue prior to the recordation of a Final Map for this site.
9. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
10. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to submittal of any construction drawings, issuance of any permits, or the submittal of a Final Map for this subdivision site, whichever may occur first.
11. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4554, Site Development Plan Review SDR-8630 and all other applicable site-related actions.
12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Tentative Map for a proposed 161-lot single-family residential development on 17.89 acres. The lots, a majority of which are 2,997 square feet in size, access an internal private street system that in turn accesses Owens Avenue. Emergency access is provided to Van Buren Avenue and Vegasgreen Trail. This map replaces the original Tentative Map (TMP-9106) for this project, which expired on 11/03/07. Staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/06/00	The City Council accepted the applicant's request to Withdraw Without Prejudice a General Plan Amendment (GPA-0026-00) from ML (Medium-Low Density Residential) to M (Medium Density Residential) on 12.84 acres encompassing the area proposed for the current General Plan Amendment request. The Planning Commission and staff had recommended approval. The City Council also accepted the applicant's request to Withdraw Without Prejudice a Rezoning (Z-0080-00) from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD9 (Residential Planned Development – 9 Units Per Acre) to R-3 (Medium Density Residential) and a Site Development Plan Review [Z-0080-00(1)] for a proposed 288-unit multi-family development on the same site. The Planning Commission and staff recommended approval.
08/21/02	The City Council voted to table a General Plan Amendment (GPA-0017-02) from ML (Medium-Low Density Residential) to M (Medium Density Residential) and a Rezoning (Z-0040-02) from R-E (Residence Estates) to R-3 (Medium Density Residential) on APN 140-30-503-002 in order for the applicant to revise the site plan, which included a proposed 224-unit multi-family residential development. The Planning Commission and staff recommended approval of the General Plan Amendment with the recommendation that the request be amended to MLA (Medium-Low Attached Density Residential). The Planning Commission and staff recommended denial of the Rezoning.

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01/19/05	The City Council approved a General Plan Amendment (GPA-4548) from M (Medium Density Residential) and ML (Medium-Low Density Residential) to MLA (Medium-Low Attached Density Residential); a Rezoning (ZON-4554) from R-E (Residence Estates) to R-PD9 (Residential Planned Development - 9 Units per Acre); a Variance (VAR-4677) to allow 1.57 acres of Open Space where 2.75 acres is the minimum required in conjunction with a proposed 166-unit single family residential development; and a Site Development Plan Review (SDR-4555) for a proposed 166-lot single-family residential development on 18.54 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard. The Planning Commission recommended approval of the General Plan Amendment, but recommended denial of the other related items. Staff recommended denial of all items on 12/16/04.
10/19/05	The City Council approved a Site Development Plan Review (SDR-8630) for a 161-lot single-family residential development; and a Variance (VAR-8631) to allow 61,000 square feet of open space where 115,724 square feet is the minimum amount of open space required in conjunction with a proposed 161-lot single-family residential development on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard
11/03/05	The Planning Commission approved a Tentative Map (TMP-9106) for a 161-lot single-family residential subdivision on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard. Staff recommended approval of the request.
03/13/06	A Technical Review for a Final Map (FMP-11725) was approved. The map was never recorded.
01/17/07	The City Council approved a request for an Extension of Time of an approved Rezoning (ZON-4554) from R-E (Residence Estates) to R-PD9 (Residential Planned Development - 9 Units per Acre) on 17.89 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard.
11/07/07	The City Council approved an Extension of Time (EOT-24521) of an approved Site Development Plan Review (SDR-8630)
11/07/07	The City Council approved an Extension of Time (EOT-24523) of an approved Site Development Plan Review (VAR-8631)
<i>Related Building Permits/Business Licenses</i>	
No permits have been issued.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	17.89
Net Acres	17.74

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MLA (Medium-Low Attached Density Residential)	R-E (Residence Estates under Resolution of Intent to R-PD9 (Residential Planned Development – 9 Units per Acre)
North	Multi-family housing (Clark County)	ML (Medium Low Density Residential)/Clark County	Clark County
South	Mobile home park	ML (Medium Low Density Residential)	R-MHP (Residential Mobile Home Park)
East	Multi-family housing	ML (Medium Low Density Residential)/M (Medium Density Residential)	R-PD9 (Residential Planned Development – 9 Units per Acre)/R-PD18 (Residential Planned Development – 18 Units per Acre)
West	Multi-family housing	M (Medium Density Residential)	R-PD16 (Residential Planned Development – 16 Units per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
Neighborhood Revitalization Area	X		Y
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Rural Preservation Neighborhood -The subject site falls within a Rural Preservation Neighborhood Overlay and the associated 330-foot buffer zone. However, the proposal is in compliance with the underlying zoning designation of the parcel (R-E with a Resolution of Intent to R-PD9) and the Master Plan Designation (MLA). Therefore, a finding of “Good Cause” may be made to exceed the Rural Preservation Neighborhood Overlay standards for the subject site.

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DEVELOPMENT STANDARDS

Applicable code section here 19.06

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	2,972 SF	Y	Y
Min. Lot Width	37 Feet	Y	Y
Min. Setbacks			
• Front	18 Feet	N/A	N/A
• Side	5 Feet	N/A	N/A
• Corner	10 Feet	N/A	N/A
• Rear	15 Feet	N/A	N/A
Max. Building Height	2 Stories / 25 Feet		Y

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
17.89	9.0 du/ac	1.65	14.85	115,724	7.86	61,241	N

A Variance (VAR-8631) has been approved to allow the reduction of the required amount of open space.

ANALYSIS

The applicant is proposing a 161-unit single family residential subdivision on 17.74 acres. A Site Development Plan Review (SDR-8630) was approved for the site on 10/19/05 and an Extension of Time (EOT-24521) of the SDR was approved on 11/07/07. A Variance (VAR-8631) to allow 61,000 square feet of open space where 115,724 square feet are required was approved on 10/19/05 and an Extension of Time (EOT-24523) of the Variance was approved on 11/07/07.

FINDINGS

- General information

The proposal is for a 161-lot single-family residential development on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb. Ingress and egress to the site is shown on the north side of the site from Owens Avenue. Private drives, 37-feet wide, provide access throughout the 161 lot community. A 36,553 square foot open space area to include a pool building and recreation areas is shown to the south of the center of the site. The existing site is currently undeveloped.

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- Cross Section

The cross sections depict perimeter walls with a maximum height of 6 feet with a 2-foot retaining wall underneath. This maximum height is acceptable per the standards set forth in Title 19.12.

- Trails

There are no proposed trails adjacent to the subject site.

- Special Conditions of Approval (SDR-8630)

1. The standards for this development shall include the following: Minimum lot sizes of 2,972 square feet and building heights not exceeding two stories or 25 feet.
2. The setbacks for this development shall be a minimum of 18 feet to the front of the house and garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, five feet on the side, 10 feet on the corner side, and 15 feet in the rear.
3. The conceptual landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within a planter along Owens Avenue.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0